

Jennifer Lynch (SBN 240701)
jlynch@eff.org
ELECTRONIC FRONTIER FOUNDATION
454 Shotwell Street
San Francisco, CA 94110
Telephone: (415) 436-9333
Facsimile: (415) 436-9993

Jason M. Schultz (SBN 212600)
jschultz@law.berkeley.edu
SAMUELSON LAW, TECHNOLOGY
& PUBLIC POLICY CLINIC
UC Berkeley School of Law
396 Simon Hall
Berkeley, CA 94720-7200
Telephone: (510) 642-0499
Facsimile: (510) 643-4625

Attorneys for Plaintiff
Electronic Frontier Foundation

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff Electronic Frontier Foundation and Defendants Department of Justice and Department of Homeland Security stipulate that all remaining claims in the above-captioned case are dismissed with prejudice in their entirety. Each party will bear its own costs and fees.

The parties also stipulate to vacating the Case Management Conference currently scheduled for March 22, 2013.

DATED: March 15, 2013

Respectfully submitted,

/s/ *Jennifer Lynch*

ELECTRONIC FRONTIER FOUNDATION
Jennifer Lynch, Esq.
Marcia Hofmann, Esq.
454 Shotwell Street
San Francisco, CA 94110
Telephone: (415) 436-9333
Facsimile: (415) 436-9993

SAMUELSON LAW, TECHNOLOGY
AND PUBLIC POLICY CLINIC
Jason M. Schultz
U.C. Berkeley School of Law
396 Simon Hall
Berkeley, CA 94720-7200
Telephone: (510) 642-0499
Facsimile: (510) 643-4625

Attorneys for Plaintiff

TONY WEST
Assistant Attorney General

JOHN TYLER
Assistant Branch Director

/s/ *Kimberly Herb*
Kimberly L. Herb
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
20 Massachusetts Ave. NW
Washington, DC 20530
Telephone: (202) 305-8356
Facsimile: (202) 616-8470
E-mail: Kimberly.L.Herb@usdoj.gov

Attorneys for Defendants

* * *

LOCAL RULE 5-1(i)(3) CERTIFICATION

I attest that I have obtained Kimberly Herb's concurrence in the filing of this document.

/s/ *Jennifer Lynch*
Jennifer Lynch

* * *

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
2

3 DATED: 3/15/13

4 Honorable Susan Illston
5 United States District Judge

Susan Illston

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28